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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/421,919	10/20/1999	PAUL L. JERAN	10990500-1	4776

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EXAMINER

MAHMOUDI, HASSAN

ART UNIT	PAPER NUMBER
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2175

DATE MAILED: 09/29/2003

4

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/421,919

Applicant(s)

JERAN, PAUL L.

Examiner

Tony Mahmoudi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.

- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

SUPERVISORY PATENT EXAMINER

PAPER NO. 2100

## DETAILED ACTION

### *Specification*

1. The arrangement of the disclosed application does not conform with 37 CFR 1.77(b).

Section headings throughout the disclosed specifications are underlined. Section headings should not be underlined and/or **boldfaced**. Appropriate corrections are required according to the guidelines provided below:

2. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

#### Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or  
REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (e) BACKGROUND OF THE INVENTION.
  - (1) Field of the Invention.
  - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.

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- (f) BRIEF SUMMARY OF THE INVENTION.
- (g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (h) DETAILED DESCRIPTION OF THE INVENTION.
- (i) CLAIM OR CLAIMS (commencing on a separate sheet).
- (j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

*Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-5, 7-12, 17-18, and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Cohen (U.S. Patent No. 6,356,941.)

As to claim 1, Cohen teaches in a computer system including at least one client computer coupled by a communications network to a secure storage facility located remotely to the client computer, a method of accessing a dedicated data storage unit (see Abstract and see

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figure 1), the data storage unit for storing data files associated with a user identification code (see column 12, lines 53-64) in a secure environment (see column 13, lines 42-51), the method comprising the following steps:

initiating a request for accessing a dedicated data storage unit, the request specifying at least a remotely located secure storage facility (see column 13, lines 42-51) containing the dedicated data storage unit and a user identification code (see column 12, lines 53-64), the secure storage facility associated with an address on a communications network (see column 11, lines 46-65);

in response to the request (see column 13, lines 42-51), automatically connecting to the remote secure storage facility at the associated address (see column 4, lines 23-45);

transmitting the request to the remotely located secure storage facility (see column 14, lines 46-65, and see column 15, lines 17-28);

identifying the dedicated data storage unit associated with the specified user identification code (see column 2, lines 47-65, and see column 11, lines 54-58); and

granting access to the identified dedicated data storage unit (see column 9, lines 32-46.)

As to claim 2, Cohen teaches wherein the step of granting access includes granting access to the identified dedicated storage unit in accordance with pre-existing instructions associated with the specified user identification code (see column 9, lines 1-22.)

As to claim 3, Cohen teaches wherein the request further specifies a processor identification code associated with a client computer, the step of identifying the dedicated

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data storage unit including identifying the dedicated data storage unit associated with both the specified user identification code and the specified processor identification code (see column 4, lines 45-60, and see column 9, lines 29-31.)

As to claim 4, Cohen teaches the method including the further step of displaying to a user a directory of data files stored in the dedicated data storage unit (see column 10, lines 52-59.)

As to claim 5, Cohen teaches the method including the further steps of:  
selecting a data file from the displayed directory of data files (see column 9, line 66 through column 10, line 19, and see column 10, lines 46-52); and  
transmitting the selected data file to a client computer associated with the request (see column 5, lines 16-18, and see column 10, lines 52-59.)

As to claim 7, Cohen teaches wherein the request further specifies at least one data file stored on the identified dedicated data storage unit (see column 3, lines 53-64), the method further comprising the step of transmitting the specified at least one data file to a client computer associated with the request (see column 5, lines 16-18, and see column 10, lines 52-59.)

As to claim 8, Cohen as modified teaches each data file stored in the dedicated data storage unit (see Abstract). It is inherent that in a dedicated data storage environment each data file is assigned a reference identification number by the secure storage facility at the

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time each data file is initially stored in the dedicated data storage unit, the reference ID used to retrieve and manipulate the data file by the network.

As to claim 9, Cohen teaches each data file stored in the dedicated data storage unit (see Abstract). It is inherent that in a dedicated secure data storage environment each data file is assigned a new reference identification number by the secure storage facility each time the data file is accessed by a user after being initially stored in the dedicated data storage unit.

As to claim 10, Cohen teaches the method including the further steps of:

storing one or more data files in the dedicated data storage unit after access has been granted (see column 5, lines 40-57); and

encrypting the data in the one or more data files in accordance with a user assigned security level associated with each data file to be stored (see column 12, lines 38-42.)

As to claim 11, Cohen teaches wherein the step of encrypting the data includes the step of encrypting the data at the secure storage facility prior to storing the one or more data files in the dedicated data storage unit (see column 17, lines 62-65.)

As to claim 12, Cohen teaches wherein the step of encrypting the data includes the step of encrypting the data at a client computer associated with the request prior to storing the one or more data files in the dedicated data storage unit (see column 15, lines 24-28.)

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As to claim 17, Cohen teaches a secure storage facility having an address on a communications network and adapted for communication with other devices on the communications network (for the remaining steps of this claim, applicant is kindly directed to remarks and discussions made in claim 1 above.)

As to claim 18, Cohen teaches the facility further comprising encryption and decryption means for encrypting and decrypting data files associated with a user identification code in accordance with the set of instructions associated with the user identification code (see column 12, lines 39-43.)

As to claim 20, Cohen teaches wherein the set of instructions associated with a user identification code specifies read-only, write only or read/write access to data files stored in the dedicated data storage unit associated with that user identification code (see column 14, lines 46-65.)

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.



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6. Claims 6 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen (U.S. Patent No. 6,356,941) in view of Newman (U.S. Patent No. 5,671,285.)

As to claims 6 and 19, Cohen teaches wherein each data file is stored in the dedicated data storage unit, each data file being encrypted (see column 17, lines 62-65.)

Cohen does not teach wherein each data file has a predetermined security level assigned thereto, each data file being encrypted in accordance with its assigned security level.

Newman teaches a secure communication system (see Abstract), in which he teaches wherein each data file has a predetermined security level assigned thereto (see column 5, lines 30-45, and see column 11, lines 34-43), each data file being encrypted in accordance with its assigned security level (see column 6, lines 20-30, and see column 15, lines 17-32.)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Cohen to include wherein each data file has a predetermined security level assigned thereto, each data file being encrypted in accordance with its assigned security level.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Cohen by the teaching of Newman, because wherein each data file has a predetermined security level assigned thereto, each data file being encrypted in accordance with its assigned security level, enhances the data security by supporting multiple levels of security based on various predetermined user criteria.

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7. Claims 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen (U.S. Patent No. 6,356,941) in view of Weber (U.S. Patent No. 6,067,618.)

As to claim 13, Cohen teaches in a computer system including at least one client computer coupled by a communications network to a secure storage facility located remotely to the client computer, the remote secure storage facility identified by an address on the communications network and including at least one dedicated data storage unit for storing data files associated with a user identification code in a secure environment, encryption /decryption means and processor means, the remote secure storage facility adapted to allow access to the at least one dedicated data storage unit in accordance with a set of pre-existing instructions, apparatus for accessing the at least one data storage media such that the remote secure storage facility is transparent to a client computer (for these and remaining steps of this claim, applicant is kindly directed to the remarks and discussions made in claims 1-5, 7, and 10-12 above.)

Cohen does not teach: a logical data storage peripheral coupled to a client computer, the logical data storage peripheral associated with a remote secure storage facility; and  
a controller associated with the logical data storage peripheral and storing the address on the communications network of at least one remote secure storage facility.

Weber teaches a user storage separation system (see Abstract), in which he teaches:  
a logical data storage peripheral coupled to a client computer, the logical data storage peripheral associated with a remote secure storage facility (see column 9, lines 41-65, and see column 17, line 65 through column 18, line 4); and

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a controller associated with the logical data storage peripheral and storing the address on the communications network of at least one remote secure storage facility (see column 18, lines 5-20.)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Cohen to include a logical data storage peripheral coupled to a client computer, the logical data storage peripheral associated with a remote secure storage facility; and a controller associated with the logical data storage peripheral and storing the address on the communications network of at least one remote secure storage facility.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Cohen by the teaching of Weber, because including a logical data storage peripheral coupled to a client computer, the logical data storage peripheral associated with a remote secure storage facility; and a controller associated with the logical data storage peripheral and storing the address on the communications network of at least one remote secure storage facility, would provide portability and more control to the user, such as enabling the user to load software programs and store portable files, as taught by Weber (see column 18, lines 9-10.)

As to claim 14, Cohen as modified teaches the apparatus further comprising encryption and decryption means for encrypting data files to be stored in a dedicated data storage unit and decrypting data files retrieved from a dedicated data storage unit (see Cohen, column 12, lines 39-43.)

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As to claim 15, Cohen as modified teaches wherein a data file to be stored in the dedicated data storage unit associated with a user identification code (see Cohen, column 3, lines 53-64) is encrypted in accordance with a user assigned security level (see Cohen, column 12, lines 39-43.)

As to claim 16, Cohen as modified teaches the apparatus further comprising memory means for storing at least one directory, each directory containing a listing of data files stored in a dedicated data storage unit (see Cohen, column 10, lines 52-59.)

### *Conclusion*

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of art with respect to methods and systems of secure data storage and secure remote data transferring in general:

Patent/Pub. No.	Issued to	Cited for teaching
US 5,321,816	Rogan et al.	Local-remote storage modules and file storage/retrieval.
US 5,495,607	Pisello et al.	Network management system with distributed domain.
US 6,370,614	Teoman et al.	Accessing data in distributed computing environment.
US 6,427,032	Irons et al.	Digital filing in remote storage facilities.
US 6,584,466	Serbinis et al.	Distributed Internet document storage and retrieval.


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9. Any inquiries concerning this communication or earlier communications from the examiner should be directed to Tony Mahmoudi whose telephone number is (703) 305-4887. The examiner can normally be reached on Mondays-Fridays from 08:00 am to 04:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici, can be reached at (703) 305-3830.

tm

September 9, 2003

  
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